



Montana
Office of Public Instruction
Denise Juneau, State Superintendent

Office of Public Instruction
P.O. Box 202501
Helena, MT 59620-2501
406.444.3095
888.231.9393
406.444.0169 (TTY)
opi.mt.gov

May 10, 2016

Ann Whalen
Senior Advisor to the Secretary
Office of Elementary and Secondary Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Advisor Whalen:

On behalf of Montana's public school students, I am submitting a request to waive the requirement of Section 1111 of the No Child Left Behind Act that not less than 95 percent of students are required to take the annual statewide assessment. My request is for the 2014-2015 school year, the year in which Montana first implemented the Smarter Balanced Assessment (SBAC). There were many unforeseeable problems with the implementation. The testing window was delayed two weeks due to problems with programming code and did not open until March 30, 2015. Following the opening, problems continued, which resulted in many delays. These delays caused scheduling problems in Montana schools, which resulted in losses of instructional time, disruption of school routines, and last-minute transportation problems for large school systems. This letter includes the following documentation of the problems encountered with the SBAC administration last spring.

1. In an email dated April 21, 2015, from Superintendent Juneau to Montana public schools, she reminded educators that "federal law mandates all students participate in the statewide assessment." See the fifth paragraph marked on Attachment 1.
2. In an April 16, 2015, memo from Montana Assessment Director Judy Snow, Superintendent Juneau received a recapitulation of the March 18 start date being delayed. The Montana Office of Public Instruction (OPI) received notice of the delay on March 13, 2015, from our assessment vendor. The second open date was scheduled for Wednesday, March 25, but the OPI assessment vendor notified the OPI on Tuesday, March 24 that the start date would be delayed again. The third start date was set for Monday, March 30, 2015. The system was operational on this date, but all students were required to log into the system using alternative identification numbers. Also, in this memo, the "service interruption" of April 14 was noted and the system was not operational for the entire state until Friday, April 17. See Attachment 2.
3. Measured Progress, the assessment vendor, provided a press release April 15, 2015, verifying "service interruption" to the assessment system for Montana, Nevada, and North Dakota. See the press release in Attachment 3.

4. The initial deployment of the new online assessment system was delayed for one week when the OPI learned on March 12, 2015, from the vendor that there would be a one-week delay. There were some schools that planned to begin testing during the initial week, and all of these schools had to revise their testing schedules, which impacted use of computer resources in their schools and, in some cases in the largest school districts in Montana, transportation schedules had to be revised. The scheduled start date after this first announcement was March 18, 2015. On March 22, 2015, the OPI notified Montana schools that the start date was delayed yet again until March 30, 2015. This second delay compounded planning efforts for schools that had already rescheduled once and for another entirely new set of schools that had planned to start testing students during the second assessment window. The OPI received some communications from the most impacted schools that they were going to wait until the system was actually up and running before they would start rescheduling efforts. This, in effect, was a self-imposed third delay, which was understandable if educators were planning to begin testing during the initial week.

The system was operational in late March and the number of students logging into the system grew slowly on a daily basis until the second week in April, when the number of students began to jump dramatically. During mid-morning of Wednesday, April 14, there was a “service interruption” that prevented students from logging into the system. It was later determined that the number of concurrent students attempting to log into the assessment system exceeded the capacity of the assessment system hardware due to a significant coding error. On April 15, the OPI recommended schools not attempt to test that day. A few anecdotal reports stated that a small number of students were able to log into the system, which supported the later finding about system hardware capacity. On April 16, the OPI recommended schools resume testing on Friday, April 17.

The net impact on many Montana schools was three definitive delays or interruptions to access to the assessment system and, in some cases, a fourth self-imposed delay where these schools waited until the system was verified to be operational before they planned their rescheduling efforts.

In each of the described delays or interruptions, the OPI was in daily contact with the assessment vendor to get updates on efforts to resolve the hardware and software failures. There were no actions that could be directly taken by the OPI to expedite the resolution of these failures. Rather, the OPI worked diligently to communicate with Montana educators regarding progress and reminded schools that “federal law mandates all students participate in the statewide assessment,” as evidenced in the April 21, 2015, email from Superintendent Juneau, displayed in Attachment 1.

This spring, the SBAC administration is moving forward without problems or system interruptions, and Montana schools are expected to meet or exceed the 95 percent participation required in the law. With the exception of school year 2014-2015, Montana has always successfully met or exceeded the required participation rate.

I appreciate the willingness of the U.S. Department of Education to consider waivers as states begin the implementation of new, computerized assessment systems. If you require additional information regarding the waiver request, please contact Deputy Superintendent Dennis Parman by telephone (406-444-5643) or by email (dparman@mt.gov). I look forward to working with you and your staff concerning the waiver decision for Montana public schools.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Denise Juneau".

Denise Juneau
Superintendent of Public Instruction

Enclosures (3)

- Attachment 1: Documentation of 2014-2015 Assessment Problems
- Attachment 2: Memo Regarding Timeline Delay
- Attachment 3: Press Release from Measured Progress

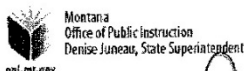
Attachment 1

Whalen Letter
May 10, 2016
Page 4

From: dparman@mt.gov
"Office of Public Instruction" <dparman@mt.gov>
Subject: SBAC Assessment Update, 4-21-2015
To: MainLE
Attachments: Attach0.html / Uploaded File 7.1K

Tuesday, April 21, 2015 4:35 PM -0600

Having trouble reading this email? View it in your browser.



*From the desk of
Denise Juneau*



After several delays and stoppages, the Smarter Balanced Assessment resumed on Friday, April 17. The fixes that Measured Progress made to the software and server are working as several thousand Montana students successfully logged into the system and have been taking this summative assessment.

Measured Progress is working with the OPI on implementing a positive test environment for students. I am optimistic that the system will continue performing well.

I sincerely appreciate everyone's patience as we worked through the challenges of delivering a new online assessment. Change is not always easy. However, the response of our public education system to these challenges has been impressive. The majority of schools, thus far, have reported that they will continue with testing students so they can measure how their students perform on our new state standards and use this year's information as the new baseline for achievement going forward, plan for next year and communicate to their communities. Schools that choose to test this year will also receive student and parental reports.

If you have not yet replied to Deputy Superintendent Parman about your plans for administering the statewide test, please do so soon. You can let him know your plans by emailing: dparman@mt.gov.

I have also been working with the U.S. Department of Education regarding Adequate Yearly Progress, particularly this year's (and future years') proficiency rate of 100% and test participation rate of 95%. The Department requested that I remind local districts that federal law mandates all students participate in the statewide assessment.

Earlier this year, the Department offered states an opportunity to apply for a waiver that delays any increased Title I sanctions as a result of not hitting the 100% proficiency mark. I requested this waiver and will update you as soon as I hear from the Department. You can find the waiver request here:
<http://www.opi.mt.gov/pdf/Superintendent/15MarAYPWaiverRequest.pdf>

As usual, if you have any assessment questions, please do not hesitate to contact Deputy Superintendent Dennis Parman at:
dparman@mt.gov .

http://www.metnet.mt.gov/Official_mail/I03648C71

4/24/2015

Attachment 2

TO: Denise Juneau

FROM: Judy Snow

DATE: April 16, 2015

RE: Spring 2015 Smarter Testing Window and Delay Timeline

March 18: Original first scheduled day of test window

- March 13
 - Notification of delay: Delays in AIR code delivery necessitated additional performance testing by MP

March 25: New first scheduled day of test window

- March 24
 - Notification of delay: New AIR content package broke the Test Delivery System

March 30: New first scheduled day of test window

- Use of alternate IDs

April 14: Server overload caused by AIR indexing code

April 17: Window to reopen

Attachment 3

Whalen Letter
May 10, 2016
Page 6



It's all about student learning. **Period.**

50 Education Way, Dover, NH 03820 | P.O. Box 1217, Dover, NH 03821 | **Web:** measuredprogress.org | **Office:** 603.749.9102 | **Fax:** 603.749.6398

FOR IMMEDIATE RELEASE

Contact: Judith Rubenstein
603.749.9102, ext. 7176
Rubenstein.judith@measuredprogress.org

Measured Progress and Smarter Balanced Work to Address Delays in Smarter Balanced Testing

DOVER, NEW HAMPSHIRE—April 15, 2015

Measured Progress has contracts with Montana, Nevada, and North Dakota to implement the test delivery platform provided by Smarter Balanced and developed by a Smarter Balanced vendor. We began deploying tests several weeks ago to our three client states, and thousands of students have successfully completed testing. However, students have recently experienced delays in accessing the testing platform, interrupting the testing process. We are working directly with Smarter Balanced and our clients to address the issues.

Measured Progress increased server capacity well beyond the specifications provided by Smarter Balanced and its platform vendor. However, even with the increased number of servers, the platform does not support the number of students currently accessing the system.

Measured Progress has supported the goals of both Smarter Balanced and the Partnership for Assessment of College and Career Readiness since these consortia were established. We are proud to support the full intent of the Smarter Balanced program by deploying its open-source platform, and we are the only vendor to do so.

We're working around the clock to deliver the Smarter Balanced assessments. Our priority is to work with our clients to create solutions and to minimize the impact of these delays on students and educators.

ABOUT MEASURED PROGRESS

Measured Progress, a not-for-profit organization, is a pioneer in authentic, standards-based assessments. Since 1983, we have successfully partnered with more than 30 states and hundreds of districts across the nation to support their assessment programs. Today, we develop 21st century assessments for classrooms, districts, states, and consortia. We are proud to be the nation's leading provider of alternate assessments for students with cognitive disabilities.

Measured Progress connects the K–12 educational community with innovative and flexible assessment solutions.

Our goal is to provide meaningful information about student progress to improve teaching and learning. It's all about student learning. Period.

The Montana Office of Public Instruction provides vision, advocacy, support, and leadership for schools and communities to ensure that all students meet today's challenges and tomorrow's opportunities.